

STATE OF WISCONSIN
Assembly Journal
Eighty-Ninth Regular Session

MONDAY, April 23, 1990

The chief clerk makes the following entries under the above date:

ADMINISTRATIVE RULES

Read and referred:

Assembly Clearinghouse Rule 90-18

Relating to accounting for investment income in the common stock fund, removing obsolete language and amending a notice requirement.

Submitted by Department of Employee Trust Funds.

To committee on Tourism, Recreation and Government Operations.

Referred on April 18, 1990.

Assembly Clearinghouse Rule 90-19

Relating to the assumptions used when calculating the amount of a retirement or disability benefit which is based in part on assumptions regarding a participant's social security coverage and earnings record.

Submitted by Department of Employee Trust Funds.

To committee on Tourism, Recreation and Government Operations.

Referred on April 18, 1990.

Assembly Clearinghouse Rule 90-31

Relating to immunization of school children against measles.

Submitted by Department of Health and Social Services.

To committee on Health.

Referred on April 18, 1990.

Assembly Clearinghouse Rule 90-47

Relating to the Wisconsin health care liability insurance plan, the patients compensation fund and the patients compensation fund peer review council and to hearings conducted by the office of the commissioner of insurance.

Submitted by Office of the Commissioner of Insurance.

To committee on Financial Institutions and Insurance.

Referred on April 18, 1990.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor
Madison

To the Honorable, the Assembly:

The following bills, originating in the assembly, have been approved, signed and deposited in the office of the Secretary of State:

Assembly Bill	Act No.	Date Signed
274	254	April 18, 1990
275	255	April 18, 1990
237	256	April 18, 1990
58	257	April 19, 1990
204	258	April 19, 1990
433	259	April 19, 1990
487	260	April 19, 1990
509	261	April 19, 1990
539 (partial veto)	262	April 19, 1990
790	263	April 19, 1990
900	264	April 19, 1990
417	269	April 19, 1990
100	270	April 20, 1990
242	271	April 20, 1990
293	272	April 20, 1990
391	273	April 20, 1990
651	274	April 20, 1990
661	275	April 20, 1990
755	276	April 20, 1990
814	277	April 20, 1990

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 16, 1990

To the Honorable Members of the Assembly:

I am withholding my approval of **Assembly Bill 33**, relating to restitution in civil actions involving forfeitures.

This measure would provide additional authority to municipal courts to order restitution where a defendant is convicted of violating a local ordinance which is the same or similar to a crime under state law, provided the conduct resulted in damage to property or physical injury, and in cases involving juveniles.

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1987 Wisconsin Act 389, which I signed into law in April of 1988, substantially revised municipal court procedures. I believe those revisions are sufficient to permit municipal courts to function in those areas of law traditionally reserved to them. Because AB 33 assigns additional functions and responsibilities to municipal courts beyond their traditional jurisdictions, I am returning the bill to the Assembly.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 16, 1990

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 184**, which establishes deadlines regarding the length of time clerks of court may retain support payments for individuals.

Federal regulations already limit the length of time these payments may be held. These Federal regulations combined with the improved efficiency available when the Child Support Data Systems (CSDS) is implemented statewide, should ensure prompt forwarding payments to families. Additional state restrictions and mandates are unnecessary and burdensome.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 16, 1990

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 437** in its entirety. This bill requires school districts to provide instruction three times during a student's public school career in the recognition and prevention of sexual assault. The bill also creates a sum sufficient appropriation to pay all school district costs associated with providing this instruction.

I am vetoing this bill because creating specific sexual assault language appears to duplicate existing language in s. 118.01(2)(d)8 which requires school districts to provide instruction in preventing sexual abuse, of which sexual assault could be argued to be a subcategory. This provides school districts with the authority to include instruction in recognizing and preventing sexual assault. With this existing authority, imposing yet another mandate and providing open-ended state funding of its implementation and ongoing costs would not be responsible.

Furthermore, it would establish an undesirable precedent for how the state funds new mandates. I am opposed to

unfunded mandates, however, it is not appropriate to establish a sum-sufficient appropriation to pay the costs. This approach discourages accountability and is unfair to Wisconsin taxpayers. I am, therefore, returning AB 437 to the Assembly.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 16, 1990

To the Honorable Members of the Assembly:

I am vetoing **Assembly Bill 446** in its entirety. This bill would require that, in both felony and misdemeanor cases, bail posted by a person other than a defendant be returned to that person once a judgment has been entered or a complaint dismissed. Although the bill specifies that bail posted by the defendant who has been found guilty must be applied to payment of the judgment, the same does not apply to bail posted by someone other than the defendant.

I am vetoing the bill because, by mandating that bail paid by persons other than defendants be returned to those persons even when the defendant is found guilty, it is likely that more judgments will go unpaid. This broadens current law and goes beyond the original intent of the bill, with which I agreed. The original intent was to make sure that, in felony cases which result in acquittals or complaints being dismissed, bail would be returned to the person who posted the bail, not to the defendant.

Respectfully submitted,
TOMMY G. THOMPSON
Governor

GOVERNOR'S VETO MESSAGE

April 19, 1990

To the Honorable Members of the Assembly:

I have approved **Assembly Bill 539** as 1989 Wisconsin Act 262 and have deposited it in the Office of the Secretary of State. I have exercised the partial veto to remove Sections lg, lm, lq, 2, 4, 7, 8, 9, 9m, and 10, and to partially remove Sections 3, 5, and 6. These sections create new reporting system requirements for diagnostic evaluation and assessment for persons with developmental disabilities, and appropriate funds for the latter purpose.

I have retained those portions of the bill which clarify the current requirement that counties establish a fixed point of information and referral for individuals with development disabilities and their families and those portions which require the state Department of Health

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and Social Services to formulate an annual 5-year plan for development disabilities services. I believe these provisions will result in more coordinated and better planning.

I have vetoed the requirement for an evaluation and assessment because I am concerned with the full cost of funding these provisions. There have been major increases provided for human services to counties in this biennium which will require full funding in state fiscal year 1991-92.

I have also vetoed the requirement that counties report data on an annual basis to the Department of Health and Social Services because this is an unfunded mandate on the counties. In an era of escalating property taxes, I am concerned about requiring increased administrative activity of counties without the funds to support it.

Respectfully submitted,
TOMMY G. THOMPSON
 Governor

COMMUNICATIONS

State of Wisconsin
 Department of State
 Madison

To Whom It May Concern:

Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Bill or Res. No.	Act No.	Publication date
Assembly Bill 63 -----	161 -----	April 20, 1990
Assembly Bill 240 -----	162 -----	April 20, 1990

Assembly Bill 332 -----	163 -----	April 20, 1990
Assembly Bill 531 -----	164 -----	April 20, 1990
Assembly Bill 532 -----	165 -----	April 20, 1990
Assembly Bill 534 -----	166 -----	April 20, 1990
Assembly Bill 536 -----	167 -----	April 20, 1990
Assembly Bill 561 -----	168 -----	April 20, 1990
Assembly Bill 585 -----	169 -----	April 20, 1990
Assembly Bill 606 -----	170 -----	April 20, 1990
Assembly Bill 159 -----	176 -----	April 23, 1990
Assembly Bill 431 -----	177 -----	April 23, 1990
Assembly Bill 612 -----	178 -----	April 23, 1990
Assembly Bill 615 -----	179 -----	April 23, 1990
Assembly Bill 753 -----	180 -----	April 23, 1990

Sincerely,
DOUGLAS La FOLLETTE
 Secretary of State

 State of Wisconsin
 Department of State
 Madison

To Whom It May Concern:

Acts, joint resolutions and resolutions, deposited in this office, have been numbered and published as follows:

Bill or Res. No.	Enrolled No.	Publication date
Assembly Jt. Res. 12 -----	53 -----	April 23, 1990
Assembly Jt. Res. 47 -----	54 -----	April 23, 1990
Assembly Jt. Res. 101 -----	55 -----	April 23, 1990

Sincerely,
DOUGLAS La FOLLETTE
 Secretary of State